

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

KEITH HENDERSON,

Petitioner,

VS.

ROBERT TOOLE, *et al.*,

Respondents.

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CASE NO.: 7:15-CV-38-HL-TQL

ORDER

Before this Court is Petitioner Keith Henderson's Motion for Reconsideration of this Court's July 23, 2015 Order dismissing Petitioner's pleading for his failure to pay the requisite filing fee, comply with the Court's orders and instructions, or otherwise diligently prosecute this action. (ECF No. 10.) The Court noted in its Order that Petitioner was repeatedly warned that failure to comply with the Court's orders would result in dismissal of his pleading. Despite these warnings, Petitioner still failed to submit to the Court a certified copy of his prison trust account statement or a recast pleading that would show whether Petitioner intended to file a petition for writ of habeas corpus or a complaint under 42 U.S.C. § 1983. The Court has reviewed the documents Petitioner continues to submit to the Court, but those documents are not fully responsive to the Court's orders. For example, after judgment was entered in this case, Petitioner submitted one page out of what appears to be his twenty-five page trust account statement, and that page reflected entries from 2008 and 2009. The statement therefore does not reflect the "6-month period immediately preceding the filing of the complaint" as required by 28 U.S.C. § 1915(a)(2)

and ordered by the Court. And Petitioner has yet to file any sort of recast complaint on one of the Court's standard forms as ordered by the Court.

The Court has also considered Petitioner's largely incoherent motion for reconsideration, and nothing therein explains why Petitioner has failed to comply with the Court's orders fully and in a timely manner. Nothing submitted by Petitioner warrants a change in the Court's Judgment. Accordingly, it is hereby **ORDERED** that Petitioner's Motion for Reconsideration (ECF No. 14) be **DENIED**.

SO ORDERED, this 31st day of August, 2015.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE